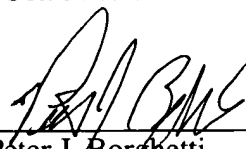


## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 13, 2004.

  
Peter J. Borghetti  
Reg. No. 42,345

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank A. Folino

Serial Number: 10/663,965

Filed: September 16, 2003

For: THERMAL COMPENSATING DESMODROMIC VALVE ACTUATION SYSTEM

Attorney Docket No.: 29481-101CIP

Group Art Unit: 3748

Confirmation No.: 2671

PERKINS, SMITH & COHEN, LLP

One Beacon Street

Boston, MA 02108

(617) 854-4000

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement (Form PTO-1449) (including copies of the non-U.S. cited references and publication) is submitted under 37 CFR 1.97(b)(3).

## REMARKS

Applicant submits herewith an Information Disclosure Statement under 37 CFR 1.97(b)(3) before the mailing of a first office action on the merits. In view thereof, no fee is required. However, in the event fees are required please charge any underpayment of fees to or credit any overpayment of fees to Deposit Account No. 03-2410, Order No. 29481-101.

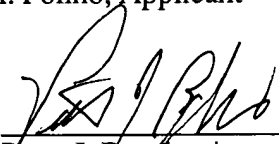
The following information is presented in the event that a call may be deemed desirable by the Examiner:

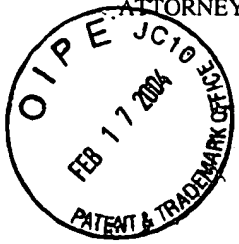
PETER J. BORGHETTI (617) 854-4000.

Respectfully submitted,  
Frank A. Folino, Applicant

Dated: February 13, 2004

By:

  
\_\_\_\_\_  
Peter J. Borghetti  
Reg. No. 42,345  
Attorney for Applicant



**FORM PTO-1449  
U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**

APPLICATION SERIAL NO.: 10/663,965

GROUP ART UNIT: 3748

APPLICANT: Frank A. Folino

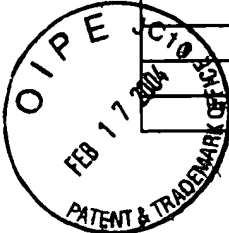
EXAMINER: N/A

FILING DATE: September 16, 2003

CONFIRMATION NO.: 2671

**U.S. PATENT DOCKETS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUB- CLASS	FILING DATE IF APPROPRIATE
	Re. 30,188	1/15/1980	Predhome, Jr.	123/90.16	
	577,589	2/23/1897	E.L. Teubert		
	1,309,339	7/8/1919	Reynolds		
	1,679,794	8/7/1928	W.F. Smith		
	1,561,544	11/17/1925	H.W. How		
	2,466,550	4/5/1949	W.G. Lundquist		
	2,584,055	1/29/1952	R.C. Smith		
	2,641,236	6/9/1953	W.P. Mansfield		
	2,738,748	3/20/1956	H. Hecht		
	2,823,655	2/18/1958	L.L. Repko		
	2,954,017	9/27/1960	E. Forstner		
	3,020,018	2/6/1962	G. Stram		
	3,195,528	7/20/1965	S.P. Franklin		
	3,424,024	1/28/1969	W. Derbfuss		
	3,317,179	5/2/1967	H.V. Willis		
	3,585,974	6/22/1971	Robert L. Weber	123/90.12	
	3,641,988	2/15/1972	Torazza et al.	123/90.16	
	3,684,237	8/15/1972	Hyde et al.	251/58	
	3,952,995	4/27/1976	Nagumo et al.	251/232	
	4,061,115	12/6/1977	Prehome, Jr.	123/90.16	
	3,911,879	10/14/1975	Altmann	123/90.16	
	4,158,367	6/19/1979	Mailliet	137/340	
	4,190,074	2/26/1980	Mailliet et al.	137/315	
	4,457,268	7/3/1984	Jones	123/90.23	
	4,514,129	4/30/1985	Legille et al.	414/200	
	4,570,900	2/18/1986	Lonardi et al.	251/58	
	4,671,221	6/9/1987	Geringer et al.	123/90.16	
	4,674,451	6/23/1987	Rembold et al.	123/90.16	
	4,763,615	8/88	Frost	123/90.25	
	4,805,568	2/21/1989	Springer et al.	123/188 GC	
	4,858,573	8/89	Bothwell	123/90.15	
	4,898,130	2/6/1990	Parsons	123/90.16	
	5,016,581	5/21/1991	Parsons	123/90.25	
	5,127,375	7/7/1992	Bowman et al.	123/90.12	



	5,782,216	7/21/1998	Haas et al.	123/90.16	
	5,809,951	9/22/1998	Kim	123/90.16	
	6,311,659 B1	11/6/2001	Pierik	123/90.24	1/13/2000*
	6,619,250	09/16/2003	Folino	123/90.16	3/15/2002

**FOREIGN PATENT DOCUMENTS**

EXAMINE R INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUB- CLASS	TRANSLATION	
					YES	NO
	EP 91804 A1	10/1983	Parker	F01L 01/30	Yes	
	FR 2467971 A	05/1981	Rocca	F01L 01/04		No
	JP 03168307 A	07/1991	Matsumoto	F01L 01/30		No
	DE 3841839 A	06/1990	Scherer	F01L 01/30		No
	DE 3804333 A1	08/1989	Austermann	F01L 01/02		No
	DE 3804333 A1	08/1989	Austermann	F01L 01/02	Yes (text only)	

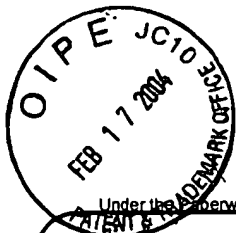
**OTHER DOCUMENTS**

(Including Author, Title, Date, Pertinent Pages, etc.)

	"What does desmo mean?", Desmodromic Valve Gear; <a href="http://www.usq.edu.au/users/grantd/mcycycle/desmo.htm">http://www.usq.edu.au/users/grantd/mcycycle/desmo.htm</a> ; 11/23/01.

\* If any such item is considered sufficiently relevant by the Examiner to the present invention, its possible "prior art" status against the present invention should be considered individually allowing for the prospect of Applicants' swearing back or other priority determination.

**EXAMINER****DATE CONSIDERED**



PTO/SB/21 (08-03)  
Approved for use through 08/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/663,965
	Filing Date	September 16, 2003
	First Named Inventor	Frank A. Folino
	Art Unit	3748
	Examiner Name	TBD
Total Number of Pages in This Submission	Attorney Docket Number	29481-101CIP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	IDS Letter; PTO Form 1449;
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Copies of References;
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Peter J. Borghetti, Reg. No. 42,345
Signature	
Date	February 13, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Peter J. Borghetti
Signature	
Date	February 13, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.